UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,861	02/16/2001	Gregory M. Burgess	50037.24US01	5183

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EXAMINER
CHANKONG, DOHM

ART UNIT	PAPER NUMBER
2154	6

DATE MAILED: 04/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/785,861	BURGESS, GREGORY M.
	Examiner	Art Unit	
	Dohm Chankong	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>4-5/11/01, 5-3/1/04</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-30 are presented for examination.

Claim Objections

2.   Claims 9 and 29 are objected to because of the following informalities: The use of the word "if" renders the claim an incomplete sentence. For the purposes of this Office Action, Examiner assumes the word should be re-written as "is". Appropriate correction is required.

3.   Claim 9 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 9 does not further limit the subject matter as defined by claim 8.

4.   Claims 16 and 30 are objected to because they are incomplete sentences. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 2-9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claims 2-9 recites the limitation "the computer-implemented medium" in the first

lines of each clam. There is insufficient antecedent basis for this limitation in these claims.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application by
another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before
the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of

1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments

Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly

from an international application filed before November 29, 2000. Therefore, the prior art

date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the

AIPA (pre-AIPA 35 U.S.C. 102(e)).

8.   Claims 1, 2, 4-7 are rejected under 35 U.S.C 102(e) as being anticipated by

Aravamudhan et al (hereinafter Aravamudhan), U.S Patent No. 6,563,919.

9.   As to claim 1, Aravamudhan teaches a computer-readable medium having computer-executable components for receiving and distributing a message within a mobile device (abstract), comprising:

a storage component in communication with at least one messaging component and a data store, wherein the messaging component communicates with the storage component by passing properties of a message to the storage component in a first format, and wherein the storage component is configured to translate the properties from the first format to a second format and to pass the translated properties to the data store (column 4, lines 45-60, column 6, line 11 to column 7, line 45 and claims 1 and 2).

10.   As to claim 2, Aravamudhan teaches a computer-implemented medium, wherein the messaging component comprises a mail application (column 3, line 18-24 and column 7, lines 14-45).

11.   As to claim 4, Aravamudhan teaches a computer-implemented medium, wherein the messaging component comprises a message transport (column 10, lines 6-10 and claim 1).

12.   As to claim 5, Aravamudhan teaches a computer-implemented medium further comprising another messaging component that communicates with the at least one messaging component and the storage component using the first format (column 7, lines 7-45 and column 8, line 66 to column 10, line 16).

13.   As to claim 6, Aravamudhan teaches a computer-implemented medium wherein the

storage component further comprises at least one handler configured to perform the

translation of the properties from the first format to the second format (column 6, lines 61-62

and column 7, lines 27-45).

14.   As to claim 7, Aravamudhan teaches a computer-implemented medium wherein the

handler is registered to translate a particular type of property, and wherein the storage

component is makes use of the handler if a property of the message corresponds to the

particular type of property (column 9, lines 23-40 – wherein the property that triggers the

translation of the message is the format of said message).

15.   Claims 10 are rejected under 35 U.S.C 102(e) as being anticipated by Mosher et al

(hereinafter Mosher), U.S Patent No. 6,029,143.

16.   As to claim 10, Mosher teaches a a computer-readable medium, having computer

executable-instructions for performing steps, comprising:

        receiving a request to store a property of a message within a data store, the request

being in a first format, the data store being configured to store data in a second format, the

request including data associated with the property (column 5, line 62 to column 6, line 14);

        translating the data associated with the property from the first format into the second

format (claim 6); and

        storing the data in the data store in the second format (column 6, lines 10-14).

17.   As to claim 11, Mosher teaches a computer-readable medium, wherein the property

includes a descriptor that distinguishes the property from other properties (column 6, lines

49-57).

18.   As to claim 12, Mosher teaches a computer-readable medium wherein the descriptor

comprises a property type (column 6, lines 49-57).

19.   As to claim 17, Mosher teaches a computer-readable medium wherein storing the data

in the data store comprises storing the data in a plurality of tables (column 2, lines 6-21 and

column 6, lines 49-57 – where each set of ordering data receives its own table).

20.   Claims 10-12 and 17 are rejected under 35 U.S.C 102(e) as being anticipated by

Kennedy, U.S Patent No. 6,330,589.

The applied reference has a common assignee with the instant application. Based

upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35

U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing

under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived

from the inventor of this application and is thus not the invention "by another," or by an

appropriate showing under 37 CFR 1.131.

21.   As to claim 10, Kennedy teaches a computer-readable medium, having computer

executable-instructions for performing steps, comprising:

receiving a request to store a property of a message within a data store, the request

being in a first format, the data store being configured to store data in a second format, the

request including data associated with the property (column 8, line 49 to column 9, line 45

and column 11, lines 46-61 and column 12, line 58 to column 13, line 2 – where the fields of the

message are the properties);

translating the data associated with the property from the first format into the second

format (column 9, lines 20-34); and

storing the data in the data store in the second format (column 9, lines 35-45).

22.   As to claim 11, Kennedy teaches a computer-readable medium, wherein the property

includes a descriptor that distinguishes the property from other properties (column 12, lines

64-67).

23.   As to claim 12, Kennedy teaches a computer-readable medium wherein the descriptor

comprises a property type (column 12, lines 64-67 – where an example for the descriptor is the

EID field also is the type of the property).

24.   As to claim 17, Kennedy teaches a computer-readable medium wherein storing the

data in the data store comprises storing the data in a plurality of tables (Figures 6a, 6b and

column 12, lines 5-27).

25.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

26.   Claims 22, 23 and 25-30 are rejected under 35 U.S.C 102(b) as being anticipated by

Guck, U.S Patent No. 5,848,415.

27.   As to claim 22 Guck teaches a computer-readable medium having computer-

executable instructions for performing steps, comprising:

receiving a request to retrieve a property of a message from a data store, the request

being in a first format, the data store being configured to store data in a second format

(column 4, lines 52-55 and column 6, lines 25-33);

retrieving the data from the data store in a second format (column 5, lines 1-9); and

translating the data associated with the property from the second format into the first

format (column 4, lines 55-65).

28.   As to claim 23, Guck teaches a computer-readable medium further comprising passing

the translated data to a component associated with the request (column 11, lines 24-33).

29.   As to claim 25, Guck teaches a computer-readable medium wherein the property

includes a descriptor that distinguishes the property from other properties (column 12, lines

14-15 where the parameter of the file is the descriptor [image/tiff, image/jpeg]).

30.   As to claim 26, Guck teaches a computer-readable medium wherein the descriptor

comprises a property type (column 12, lines 14-15).

31.   As to claim 27, Guck teaches a computer-readable medium wherein translating the

data comprises passing the data to a handler for processing, the handler being associated with

the descriptor (column 4, lines 48-62).

32.   As to claim 28, Guck teaches a computer-readable medium wherein the handler is

registered to process data of a type associated with the descriptor (Figure 5 and column 12,

lines 43-54).

33.   As to claim 29, Guck teaches a computer-readable medium wherein the handler is

further configured to convert the property from the first format into the second format

(Figure 5 and column 12, lines 43-54).

34.   As to claim 30, Guck teaches a computer-readable medium wherein the handler if

further configured to translate the property into at least one other property, the at least one

other property conforming to the second format (Figures 6, 7 and column 12, lines 10-27).

Claim Rejections - 35 USC § 103

35.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

36.   Claim 3 is rejected under 35 U.S.C 103(a) as being unpatentable over Aravamudhan as

applied to claim 1 above, in view of Kennedy (hereinafter Kennedy[2]), U.S Patent No.

6,134,582..

37.   Aravamudhan teaches a computer-implemented medium with a messaging

component but does not teach the messaging component comprising a message form.

38.   Kennedy[2] teaches a computer-implemented medium, wherein the messaging

component comprises a message form (column 9, lines 50-63 and column 11, lines 23-41). It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Aravamudhan's messaging component to include a message form to more

efficiently organize the message data into fields.

39.   Claims 8 and 9 are rejected under 35 U.S.C 103(a) as being unpatentable over

Aravamudhan as applied to claims 1 and 6 above, in view of Buckley et al (hereinafter

Buckley) U.S Patent No. 6,035,327.

40.   Buckley was cited by applicant in IDS #5, from March 1, 2004.

41.   As to claim 8 and 9, Aravamudhan does not specifically teach a computer

implemented medium wherein the handler is further configured to create a new property

from a property passed to the storage component.

42.   Buckley teaches a computer-implemented medium wherein the handler is further

configured to create a new property from a property passed to the storage component

(column 10, lines 47-62). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to include the property creation functionality into

Aravamudhan's handler to handle any properties of the messages being sent to the data store.

43.   Claims 13-16 are rejected under 35 U.S.C 103(a) as being unpatentable over Mosher as

applied to claims 10 and 11 above, in view of Aravamudhan.

44.   As to claim 13, Mosher does not teach a computer-readable medium wherein

translating the data comprises passing the data to a handler for processing, the handler being

associated with the descriptor.

45.   Aravamudhan teaches a computer-readable medium wherein translating the data
comprises passing the data to a handler for processing, the handler being associated with the
descriptor (column 4, line 45 to column 5, line 7 and column 7, lines 40-42). It would have
been obvious to one of ordinary skill in the art at the time the invention was made to include
the specialized handler in Mosher so the medium is enabled to process different kinds of
descriptors.

46.   As to claim 14, Mosher does not teach a computer-readable medium wherein the
handler is registered to process data of a type associated with the descriptor.

47.   Aravamudhan teaches a computer-readable medium wherein the handler is registered
to process data of a type associated with the descriptor (column 6, lines 61-62 and column 7,
line 66 to column 8, line 44). It would have been obvious to one of ordinary skill in the art at
the time the invention was made to incorporate Aravamudhan's handler into Mosher's
medium so the data and descriptors can properly be correlated and organized by the handler.

48.   As to claim 15, Mosher teaches a computer-readable medium wherein the handler is
further configured to convert the property from the first format into the second format
(column 6, lines 14-17 wherethe computer routines are the handlers and perform the
translations by checking the properties of the data).

49.   As to claim 16, Kennedy teaches a computer-readable medium, wherein the handler if

further configured to translate the property into at least one other property, the at least one

other property conforming to the second format (column 6, lines 14-17 and lines 33-57, where

the second format is the database format, the other property is the database field, and the

original property is the ordering data).

50.   Claims 18 and 19 are rejected under 35 U.S.C 103(a) as being unpatentable over

Kennedy as applied to claim 10 and 17 above, in view of Thurlow et al (hereinafter Thurlow),

U.S Patent No. 6,057,841.

51.   Thurlow was disclosed by Applicant in IDS #5, dated March 1, 2004 .

52.   As to claim 18, Mosher does not teach a computer-readable medium wherein each of

the plurality of tables corresponds to a message folder.

53.   Thurlow teaches a computer-readable medium wherein each of the plurality of tables

corresponds to a message folder (Figure 3, column 7, lines 29-58). It would have been obvious

to one of ordinary skill in the art at the time the invention was made to modify Mosher's

plurality of tables to sync with corresponding message folders so users can utilize a summary

view of the messages, allowing clearer and more precise viewing.

54.   As to claim 19, Mosher does not teach a computer-readable medium wherein one of the plurality of tables is configured to contain certain properties, and another one of the plurality of tables is configured to contain certain other properties.

55.   Thurlow teaches a computer-readable medium wherein one of the plurality of tables is configured to contain certain properties, and another one of the plurality of tables is configured to contain certain other properties (column 7, lines 29-58 where each folder represents a table). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mosher's plurality of tables to specialize to contain certain properties to increase the organizational efficiency of the database.

56.   Claims 20 and 21 are rejected under 35 U.S.C 103(a) as being patentable over Kennedy as applied to claims 10 and 17 above, in view of Peters et al (hereinafter Peters), U.S Patent No. 6,292,795.

57.   As to claim 20, Mosher does not teach a computer-readable medium wherein a table within the plurality of tables is configured as an overflow mechanism for another of the tables within the plurality of tables.

58.   Peters teaches a computer-readable medium wherein a table within the plurality of tables is configured as an overflow mechanism for another of the tables within the plurality of tables (column 4, line 51 to column 5, lines 40-56). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to implement an overflow table in Mosher to manage any extra data from messages whenever the other tables are filled to their maximum data capacity.

59.   As to claim 21, Mosher does not teach a computer-readable medium wherein the overflow mechanism comprises a file system.

60.   Peters teaches a computer-readable medium wherein the overflow mechanism comprises a file system (column 5, lines 3-10 where the directory is the file system). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Mosher's overflow mechanism to utilize a file system to make it easier to organize, store and sort the information contained in the overflow mechanism.

61.   Claim 24 is rejected under 35 U.S.C 103(a) as being unpatentable over Guck , as applied to claim 22 above, in view of an Official Notice.

62.   Guck teaches a computer-readable medium wherein the data is retrieved from a table (column 4, lines 3-23).

63.   Guck des not teach retrieving from at least one table in a plurality of tables. Official Notice is taken as it is old and well known in the art that databases can store information in a plurality of tables. It would have been obvious one of ordinary skill in the art at the time the

invention was made to include a plurality of tables in Kennedy's database to increase the

storage efficiency and capacity for storing data.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

The following patent is cited to further show the state of the art in regards to unified

messaging for mobile devices:

U.S Patent No. 6,212,550 to Segur.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864.

The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

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9197 (toll-free).

DC

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